

Remarks

Claims 69-135 are currently pending in the present application. The Examiner has restricted the claims into two groups:

- I. Claims 69-119, drawn to a system for assaying hematopoiesis and hemotoxicity.
- II. Claims 120-135, drawn to an assay method for screening a compound that modulates proliferation of hematopoietic cells.

Within Group I, the Examiner further requires a species election from one of claims 104-116 reciting different combinations of proliferation agents.

Applicant provisionally elects Group I, claims 69-119 for examination. Applicant further elects claim 106 within the species of Group I for initial examination. This election is made with traverse.

The Examiner has not shown that examination of all claims would create a serious burden as required for a proper restriction. Furthermore, the invention of Group I is not used in a materially different process than that of Group II. Applicant respectfully submits that a separate search would not be required for the claims of Groups I and II, nor would a separate search be required for the individual species claims, as the species are also claimed as a Markush group in at least one of the generic claims. Accordingly, Applicant requests reconsideration of this restriction requirement.

The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Rosenbaum & Associates, P.C. deposit account No. 18-2000. Should the Examiner require any further information or wish to discuss any aspect of this Response, the Examiner is encouraged to contact the undersigned attorney for Applicant.

Respectfully submitted,



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